

EXHIBIT E-V  
OARA, INC.  
NEW  
LINDEN, TX

Distance to Contour

Title: linden-c2  
Audit File: con11146.A04  
Based on 30 Second Terrain Data  
Reference City: LINDEN, TX

Latitude: 33-08-32  
Longitude: 94-40-35

True Radial Bearing	Average Elevation	Radiation Center Height Above Average Terrain	Effective Radiated Power		Distance to Contour 70.0 dBu F(50,50)	60.0 dBu F(50,50)
Degrees	meters	meters	kW	dBk	km	km
0.00	104.0	154.4	50.000	16.990	33.09	52.75
45.00	101.4	156.9	50.000	16.990	33.37	53.08
90.00	105.9	152.4	50.000	16.990	32.87	52.50
116.60	94.5	163.9	50.000	16.990	34.11	53.91
135.00	103.6	154.8	50.000	16.990	33.13	52.80
180.00	126.5	131.8	50.000	16.990	30.64	49.66
225.00	102.7	155.6	50.000	16.990	33.23	52.91
270.00	107.2	151.2	50.000	16.990	32.73	52.34
273.70	109.9	148.5	50.000	16.990	32.43	51.98
277.40	113.1	145.3	50.000	16.990	32.08	51.55
315.00	115.7	142.6	50.000	16.990	31.78	51.18

Radiation Center (AMSL): 258.3 meters 847.6 feet  
Average Terrain (AMSL): 108.4 meters 355.6 feet  
Radiation Center (HAAT): 150.0 meters 492.0 feet

Area Within 70.0 dBu F(50,50) Contour is 1289.6 sq. mi. or 3340.0 sq. km  
Area Within 60.0 dBu F(50,50) Contour is 3298.2 sq. mi. or 8542.4 sq. km

Population Within 60.0 dBu f(50,50) contour is 121731

EXHIBIT E-VI

Oara, Inc

Linden, TX

ANSI STUDY

An ANSI Study was made in accordance with OST-65. The proposed facility will create a level of RF radiation below the level allowable under ANSI guidelines at ground level, using worst case assumptions.

For FM stations, Formula (4) is used:

$$S = (2.56) (EIRP) / (4) (PI) (R)^2$$

Where:

S= Highest power density at ground level (mW/sq.cm)

R= Distance from antenna center to ground in cm.

EIRP= 1.64 times ERP relative to dipole in mW.

Station: NEW Antenna at 140.0m and ERP 50.0 kw

$$S = \frac{2.56 (1.64) (1000) (100000)}{4 (PI) (14000)^2}$$

S= 0.1705 mW/sq.cm 17.05% of maximum allowed.

The tower will be fenced with a locked gate. The applicant will post signs at the base of the tower to indicate RF radiation areas. The applicant will take steps to protect tower personnel on the tower by reducing the power to a level in compliance with OST-65 or turning the transmitter off.

## SECTION VI - EQUAL EMPLOYMENT OPPORTUNITY PROGRAM

Does the applicant propose to employ five or more full-time employees?

☐ Yes ☒ No

If Yes, the applicant must include an EEO program called for in the separate Broadcast Equal Employment Opportunity Program Report (FCC Form 396-A).

## SECTION VII - CERTIFICATIONS

1. Has or will the applicant comply with the public notice requirements of 47 C.F.R. Section 73.3580? ☒ Yes ☐ No
2. Has the applicant reasonable assurance, in good faith, that the site or structure proposed in Section V of this form, as the location of its transmitting antenna, will be available to the applicant for the applicant's intended purpose? ☒ Yes ☐ No

If No, attach as an Exhibit, a full explanation.

Exhibit No.

3. If reasonable assurance is not based on applicant's ownership of the proposed site or structure, applicant certifies that it has obtained such reasonable assurance by contacting the owner or person possessing control of the site or structure.

Name of person contacted: Walter Franklin

Telephone No. (include area code): 903-835-5018

Person contacted: (check one box below:

☒ Owner ☐ Owner's Agent ☐ Other (specify)

4. By checking Yes, the applicant certifies, that, in the case of an individual applicant, he or she is not subject to a denial of federal benefits that includes FCC benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. Section 862, or, in the case of a non-individual applicant (e.g., corporation, partnership or other unincorporated association), no party to the application is subject to a denial of federal benefits that includes FCC benefits pursuant to that section. For the definition of a "party" for these purposes, see 47 C.F.R. Section 1.2002(b). ☒ Yes ☐ No

The APPLICANT hereby waives any claim to the use of any particular frequency as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application. (See Section 304 of the Communications Act of 1934, as amended.)

The APPLICANT acknowledges that all the statements made in this application and attached Exhibits are considered material representations, and that all Exhibits are a material part hereof and incorporated herein.

The APPLICANT represents that this application is not filed for the purpose of impeding, obstructing, or delaying determination on any other application with which it may be in conflict.

In accordance with 47 C.F.R. Section. 1.65, the APPLICANT has a continuing obligation to advise the Commission, through amendments, of any substantial and significant changes in information furnished.

I certify that the statements in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith.

Name <u>KENNETH R. REYNOLDS, II</u>	Signature <u>Kenneth R. Reynolds, II</u>
Title <u>VICE PRESIDENT</u>	Date <u>11-27-96</u>
Typed or Printed Name of Person Signing <u>KENNETH R. REYNOLDS, II</u>	

WILLFUL FALSE STATEMENTS ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001), AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. CODE, TITLE 47, SECTION 312(a)(1)), AND/OR FORFEITURE (U.S. CODE, TITLE 47, SECTION 503).

## Exhibit B

**WILLIAM J. PENNINGTON III**  
ATTORNEY AT LAW

P.O. BOX 403  
WESTFIELD, MA 01086-0403

PHONE/FAX: (413) 562-3341

ADMITTED IN  
SOUTH CAROLINA  
NORTH CAROLINA

PRACTICE LIMITED TO  
MATTERS BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION

November 28, 1996

RECEIVED  
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DOCKET FILE COPY ORIGINAL

William F. Caton, Acting Secretary  
Federal Communications Commission  
1919 M Street, NW  
Washington, DC 20554

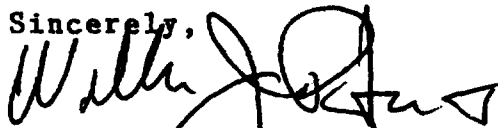
RE: Allotment of New FM Channel to Roxton, Texas.

Dear Mr. Caton:

Transmitted herewith, on behalf of Northeast Texas Broadcasters, is an original and four copies of a "Petition for Rule Making" seeking the allotment of a new FM Channel to Roxton, Texas.

Should there be any questions regarding this matter, please do not hesitate to contact the undersigned.

Sincerely,



William J. Pennington, III  
COUNSEL TO NORTHEAST TEXAS BROADCASTERS

Enc.

No. of Copies rec'd  
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**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554**

In the Matter of

Amendment of Section 73.202(b)  
FM Table of Allotments  
(Roxton, Texas)

)  
)  
) MM Docket  
) RM-  
)

To: Chief, Policy and Rules Division

RECEIVED  
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**PETITION FOR RULE MAKING**

Northeast Texas Broadcasters ("NTB"), by their counsel, hereby respectfully requests that the Commission amend Rule 73.202(b), the FM Table of Allotments, to allot FM Channel 257A to Roxton, Texas as its first aural service.

In support of this allocation request, the following information is respectfully submitted:

1. As is demonstrated in the attached Exhibit 1, Channel 257A may be allotted to Roxton when site restricted 15.7 kilometers north of the community.

2. The petitioner proposes to allot Channel 257A to Roxton as a first aural service. Roxton, located in Lamar County, is an incorporated community with a 1990 population of 639 persons. Lamar County had a 1990 population of 43,949 persons.

3. If Channel 257A were allotted to Roxton, the area where the antenna could be located is close enough so the station

would have no difficulty placing a 70 dBu service contour over the entire community of Roxton. Exhibit E-2 shows the extent of the 70 dBu coverage as well as the location of the town of Roxton within that service contour. Complete line of sight coverage would also be provided the community of Roxton.

4. If the Commission allots Channel 257A to Roxton, NTB will immediately tender for filing an application with the Commission seeking a construction permit for the new station. If granted the construction permit, NTB will promptly build the new facility at Roxton.

5. In sum, it is requested that the FM Table of Allotments be changed as follows:

<u>COMMUNITY</u>	<u>ALLOTMENTS</u>	
	<u>EXISTING</u>	<u>PROPOSED</u>
Roxton, TX	-	257A

Based upon the foregoing, NTB hereby respectfully requests that the Commission modify its FM Table of Allotments to allot Channel 257A to Roxton, Texas as its first aural broadcast service.

Respectfully submitted,

**NORTHEAST TEXAS BROADCASTERS**

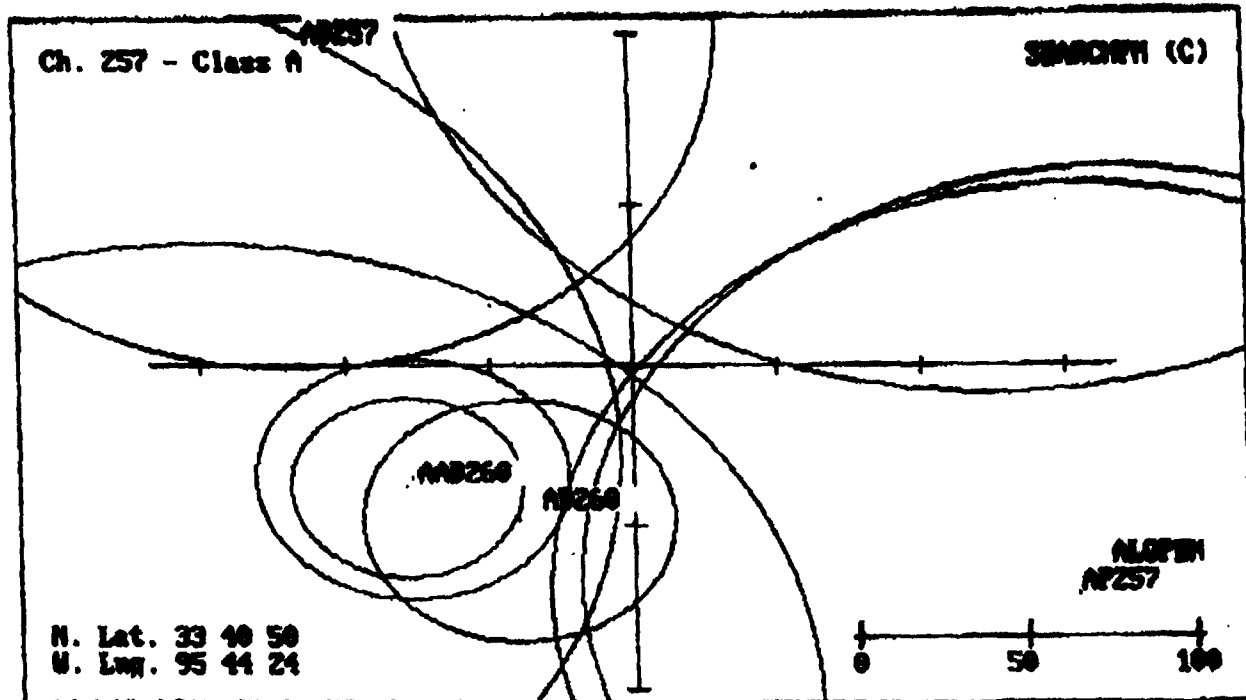
By: 

William J. Pennington, III  
Its Attorney

Law Office of William J. Pennington, III  
(NC & SC BARS ONLY)  
Post Office Box 403  
Westfield, MA 10186  
(413) 562-3341

November 28, 1996





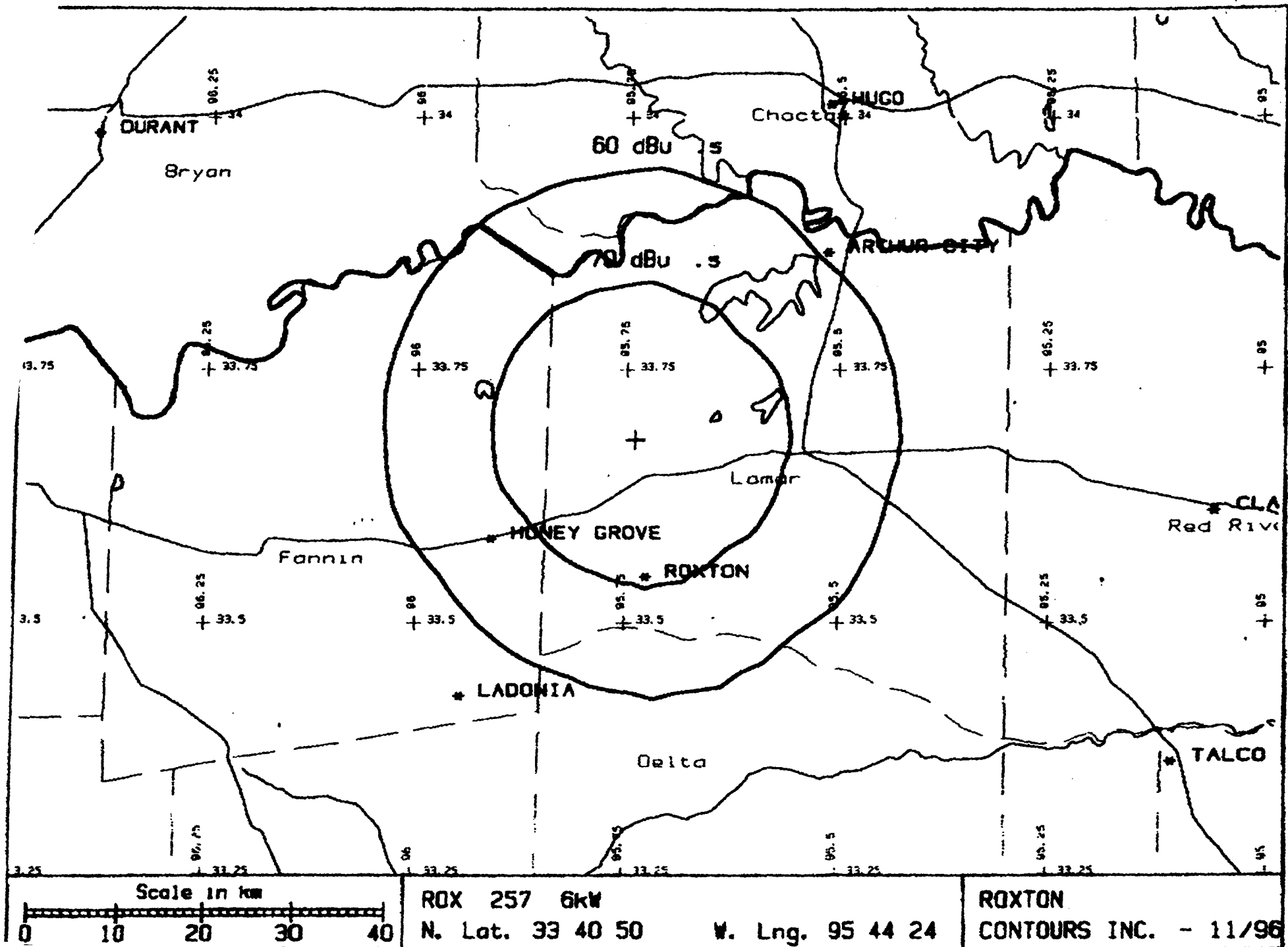
Search 11-21-96

ROXTON, TEXAS

Current rules spacings

----- CHANNEL 257 - 99.3 MHz -----

CALL	CH#	CITY	STATE	BEAR'	D-KM	R-KM	MARGIN
AP257	257C3	Linden	TX	123.8	142.91	142.0	0.91 <
KPLX	258C	Fort Worth	TX	223.4	167.77	165.0	2.77 <
ALOPEN	257C3	Linden	TX	120.1	147.89	142.0	5.89
KDER	256C	Denton	TX	259.2	172.54	165.0	7.54
KDER.C	256C	Denton	TX	259.2	172.54	165.0	7.54
KNAG	256C	Fort Smith	AR	32.2	182.74	165.0	17.74
AD260	260C3	Greenville	TX	210.1	62.13	42.0	20.13
AD260	260C3	Farmersville	TX	236.2	71.34	42.0	29.34
AD257	257A	Ada	OK	321.1	146.63	115.0	31.63
AD260	260A	Blue Ridge	TX	235.4	74.69	31.0	43.69

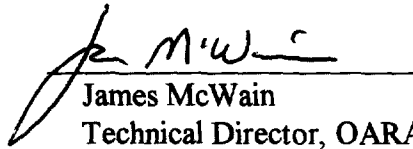


## Exhibit C

## Engineering Statement

This Engineering Statement is prepared on behalf of OARA, Inc., permittee of NEW 257C3, Linden, TX. and applicant for 257C2, Linden, Tx.

Exhibit E-I (Allocation Study for Channel 257A) shows that the proposed rulemaking of Northeast Texas Broadcasters (Docket 96.264) will not meet the minimum distance separation requirements of Section 73.207 of the FCC Rules. The separation between the proposed 257A Roxton and the proposed 257C2 is 118.31 km. This is short-spaced by 47.69km.

A handwritten signature in black ink, appearing to read 'J McWain', is written over a horizontal line.

James McWain  
Technical Director, OARA, Inc.  
Date 2-28-97

## EXHIBIT E-I

Page 1

OARA, INC  
Linden, TX

Feb 28, 1997

## Allocation Study FM Channel 257A

Title: Roxton  
 Reference City: Roxton, TX  
 Translators Are Not Included  
 Audit File: fms02287.A01

Latitude: 33-39-17  
 Longitude: 95-44-45  
 FCC Database: 970124

Call City of	Auth License	Licensee Name St FCC File No.	Chan Freq	ERP-kW EAH-m	Latitude Longitude	Az-to -from	Dist (km)	Req (km)
KLUVFM Dallas	LIC	Infinity Broadcasting TX BMLH-950420KZ	254C 98.7	40. 155	32-45-52 96-52-06	226.8 46.2	143.88 48.88	95 CLEAR
KDZR Denton	LIC	Broadcast House Incor TX BLH-880926KC	256C 99.1	100. 356	33-23-22 97-33-53	260.6 79.6	171.52 6.52	165 CLEAR
Denton	USED	TX Coordinates updated from LIC record	256C 99.1		33-23-22 97-33-53	260.6 79.6	171.52 6.52	165 CLEAR
KDZR Denton	CP	Broadcast House Incor TX BPH-950118IG	256C 99.1	100. 526	33-23-22 97-33-53	260.6 79.6	171.52 6.52	165 CLEAR
KMAG Fort Smith	LIC	Fort Smith FM, Inc. AR BLH-900430KB	256C 99.1	100. 600	35-04-26 94-40-48	31.5 212.1	185.46 20.46	165 CLEAR
Roxton Docket: 96-264	ADD	Northeast Texas Broad TX RM-8977	257A 99.3		33-39-17 95-44-45	0.0 0.0	0.00 -115.0	115 SHORT
Linden	VACANT	TX	257C2 99.3		33-07-22 94-38-37	119.7 300.3	118.31 -47.69	166 SHORT
NEW Linden	APP	Oara, Inc. TX BMPH-961204IC	257C2 99.3	50. 150	33-07-22 94-38-37	119.7 300.3	118.31 -47.69	166 SHORT
One-step application from Channel 257C3								
NEW Linden	CP	Oara, Inc. TX BPH-951204MA	257C3 99.3	10. 91	32-57-49 94-27-53	122.5 303.2	141.81 -0.19	142 SHORT
*To change to 257C2 per one-step application 961204IC								
Linden	USED	TX Effective 9-21-95 Docket: 95-62	257C3 99.3		33-00-44 94-21-55	118.7 299.5	146.96 4.96	142 CLOSE

## EXHIBIT E-I

Page 2

OARA, Inc  
Linden, TX

Feb 28, 1997

## Allocation Study FM Channel 257A

Title: Roxton  
 Reference City: Roxton, TX  
 Translators Are Not Included  
 Audit File: fms02287.A01

Latitude: 33-39-17  
 Longitude: 95-44-45  
 FCC Database: 970124

Call	Auth	Licensee Name	Chan	ERP-kW	Latitude	Az-to	Dist	Req
City of License		St FCC File No.	Freq	EAH-m	Longitude	-from	(km)	(km)
KADAFM	ADD	Hunt Broadcasting, In	257A		34-42-31	322.3	148.55	115
Ada		OK RM-8799	99.3		96-44-24	141.8	33.55	CLEAR
Counterproposal Docket: 96-10								
KPLX	LIC	Radio Metroplex, Inc.	258C	100.	32-34-54	224.2	165.33	165
Fort Worth		TX BMLH-850211KR	99.5	511	96-58-32	43.5	0.33	CLOSE
USED								
Fort Worth		TX	258C		32-34-54	224.2	165.33	165
			99.5		96-58-32	43.5	0.33	CLOSE
Coordinates updated from LIC record BMLH850211KR								
	ADD	Greenville Broadcasti	260C3		33-11-46	211.1	59.39	42
Greenville		TX RM-8801	99.9		96-04-32	30.9	17.39	CLEAR
Site Restriction 7.3km Northeast-Counterproposal Docket: 96-10								
	ADD	Galen O. Gilbert	260C3		33-19-22	238.0	69.34	42
Farmersville		TX RM-8738	99.9		96-22-41	57.6	27.34	CLEAR
Site Restricted 17.9km North Docket: 96-10								
	ADD	Thomas S. Desmond	260A		33-17-54	237.1	72.65	31
Blue Ridge		TX RM-8800	99.9		96-24-06	56.7	41.65	CLEAR
Counterproposal Docket: 96-10								

End of Allocation Study FM Channel 257A


**CERTIFICATE OF SERVICE**

I, Judy Ryan, an employee of the law firm of Fletcher, Heald & Hildreth, P.L.C., hereby certify that a true and correct copy of the foregoing Comments was served via United States First Class Mail, postage paid, this 3rd day of March, 1997, on the following:

John A. Karousos, Chief \*  
Allocations Branch, Policy and Rules Division  
Mass Media Bureau  
Federal Communications Commission  
1919 M Street, N.W., Room 565  
Washington, DC 20054

William J. Pennington, III, Esq.  
P.O. Box 403  
Westfield, MA 10186

\*Via hand delivery.

  
\_\_\_\_\_  
Judy Ryan